

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

ROBERT LOVE TAYLOR	)	
	)	
v.	)	NO. 2:07-CV-12
	)	
TONY PARKER	)	

**MEMORANDUM**

This is a *pro se* prisoner's application for a writ of habeas corpus filed under the authority of 28 U.S. C. § 2254. On January 16, 2007, the Court issued an order notifying the petitioner that his application contained certain deficiencies and that he had failed to submit the \$5.00 filing fee or a motion to proceed *in forma pauperis*. The Court ordered the petitioner to complete an attached preprinted form application and a form used by prisoners to seek pauper status and to return both forms to the Court within thirty (30) days of the date on the order. The petitioner was also forewarned that his failure to comply with the order would result in the dismissal of his case for failure to prosecute.

Almost six months have passed, and the petitioner has failed to submit either form or otherwise to respond to the order. Accordingly, this petition will be **DISMISSED** without prejudice for want of prosecution. *See* Fed. R. Civ. P. 41(b).

The Court must now decide whether to issue a certificate of appealability (“COA”). The petitioner is entitled to a COA only upon making a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2). When a habeas petition is dismissed on procedural grounds without reaching the merits of the claims, "a COA should issue when the prisoner shows, at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). The petitioner has not made either showing and, therefore, for reasons stated in the opinion, he will be **DENIED** issuance of a COA. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

**ENTER:**

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE